



Attorney Docket No. SUN-P6376-PIP

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER AN ISSUED PATENT**

In re Application of: James H. Falkner
Application No.: 09/944,307
Filing Date: 30 August 2001
Title: Method and Apparatus to Facilitate Automated Software Installation on
Remote Computers over a Network


The owner*, Sun Microsystems, Inc. of a 100 percent interest in the above-identified instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to 156 and 173, as presently shortened by any terminal of prior Patent No. 6,675,382. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, in is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer.

[x] A terminal disclaimer fee of \$130 under 37 C.F.R. §1.20(d) is included herewith.

[] As I am not a person registered to practice before the Office, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and believe are believed to be true; and further, that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

By 
Edward J. Grundler (Agent of Record)
Registration No. 47,615

Date: 4 January 2006

PARK, VAUGHAN & FLEMING LLP
2820 Fifth Street
Davis, CA 95616
(530) 759-1661

*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).



Certificate Under 37 CFR 3.73(b)

Patent Owner: James H. Falkner

Application No./Patent No.: 09/944,307 Filed/Issue Date: 30 August 2001

Entitled: Method and Apparatus to Facilitate Automated Software Installation on Remote Computers over a Network

Sun Microsystems, Inc., a Corporation
(Name of Assignee) (Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 012138, Frame 0387, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the patent and Trademark Office at Reel __, Frame __, or for which a copy thereof is attached

2. From: _____ To: _____

The document was recorded in the patent and Trademark Office at Reel __, Frame __, or for which a copy thereof is attached

3. From: _____ To: _____

The document was recorded in the patent and Trademark Office at Reel __, Frame __, or for which a copy thereof is attached

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application/patent identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

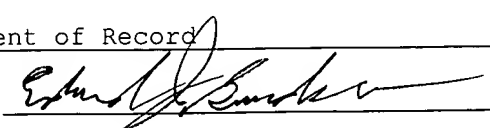
The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application/patent or any patent issuing thereon.

Date: 4 January 2006

Name: Edward J. Grundler (Reg. No. 47,615)

Title: Agent of Record

Signature: 



Certificate Under 37 CFR 3.73(b)

Applicant/Patent Owner: G. Foster

Application No./Patent No.: 6,675,382 Filed/Issue Date: 6 Jan 2004

Entitled: Software Packaging and Distribution System

Sun Microsystems, Inc., a Corporation
(Name of Assignee) (Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application/patent identified above by virtue of either:

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OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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2. From: _____ To: _____

The document was recorded in the patent and Trademark Office at Reel __, Frame __, or for which a copy thereof is attached

3. From: _____ To: _____

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☐ Additional documents in the chain of title are listed on a supplemental sheet.

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The undersigned has reviewed all the documents in the chain of title of the patent application/patent identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

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Date: 4 January 2006

Name: Edward J. Grundler (Reg. No. 47,615)

Title: Agent of Record

Signature: 